

supervisors, shall vitiate the election held in such precinct, providing a penalty for such refusal, hindrance or obstruction of the performance of their duties by such supervisors, and declaring an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

HUDSPETH, Chairman.

Committee Room,
Austin, Texas, February 10, 1915.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Judiciary No. 2, to whom was referred

S. B. No. 247, a bill to be entitled "An Act making it a criminal offense, punishable by fine, for any person or persons within this State, without the consent of the proprietors thereof, and with intent to avoid the payment of the lawful tolls and charges, to trespass and enter upon any toll bridge maintained wholly or partly within this State."

Have had the same under consideration, and I am instructed to report same back to the Senate with the recommendation that it do pass.

HUDSPETH, Chairman.

Engrossing Committee Report.

Committee Room,
Austin, Texas, February 10, 1915.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Engrossed Bills have carefully compared Senate Bill No. 209, and find same correctly engrossed.

WESTBROOK, Chairman.

21 TWENTY-THIRD DAY.

Senate Chamber,
Austin, Texas,
Thursday, February 11, 1915.

The Senate met at 2 o'clock p. m., pursuant to adjournment, and was called to order by Lieutenant Governor W. P. Hobby.

The roll was called, a quorum being present, the following Senators answered to their names:

Astin.	Johnson.
Bailey of DeWitt.	King.
Bailey of Harris.	Lattimore.
Bee.	McCollum.
Brelsford.	McGregor.
Clark.	McNealus.
Conner.	Morrow.
Cowell.	Page.
Darwin.	Parr.
Gibson.	Robbins.
Hall.	Smith.
Harley.	Sulter.
Harris.	Townsend.
Hudspeth.	Westbrook.

Absent.

Henderson.

Absent—Excused.

Nugent.

Wiley.

Prayer by the Chaplain.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator McNealus.

Excused.

On account of important business: Senator Henderson, for today and balance of the week, on motion of Senator Hudspeth.

See Appendix for Petitions and Memorials and Standing Committee Reports.

Bills and Resolutions.

By Senator Hudspeth:

S. B. No. 256, A bill to be entitled "An Act to define live stock commission dealers, to provide for licensing and bonding live stock commission dealers, and to provide penalties for failure to obtain license and give bond."

Read first time, and referred to Committee on Stock and Stock Raising.

By Senator McNealus:

S. B. No. 257, A bill to be entitled "An Act to repeal Article 1428, Chapter 18, Title 19, of the Penal Code of the State of Texas, relating to the obtaining of board and lodging under false pretenses, and to enact new section in lieu thereof relating to the obtaining of board and

lodging under false pretenses and prescribing penalties for the violation thereof."

Read first time and referred to Committee on State Affairs.

By Senator McNealus:

S. B. No. 258, A bill to be entitled "An Act to repeal Section 5663 of Chapter 8, Title 86, of the Revised Statutes of the State of Texas, relating to fixing a special lien in favor of hotels and boarding houses, and providing a remedy for the enforcement of said lien by the advertising and sale of baggage and other property under the control of the guests of such hotel keeper, innkeeper and boarding house keeper, and the application of the proceeds of said sale; defining the term hotel, and declaring an emergency."

Read first time and referred to Judiciary Committee No. 1.

By Senator McNealus:

S. B. No. 259, A bill to be entitled "An Act to regulate the sale of convict-made goods and to punish violations thereof."

Read first time and referred to Committee on Labor.

By Senator McNealus:

S. B. No. 260, A bill to be entitled "An Act to amend Section 6, Chapter 111, of an Act of the Thirty-second Legislature, entitled: 'An Act authorizing the formation of corporations for the purpose of generating, manufacturing, transporting and selling gas, electric current and power in this State, and to make reasonable charges, therefor, to construct, maintain and operate power plants and substations and such machinery, apparatus, pipes, poles, wires, devices and arrangements and such machinery, apparatus, pipes, poles, wires, devices and arrangements as may be necessary to operate such lines at and between different points in this State, and to own, hold and use lands, rights of way, easements, franchises, buildings and structures necessary for the purpose, with the right to enter upon, condemn and appropriate lands, rights of way, easements and property of any person or corporation and erect lines over and across public roads, railroads, interurban and street railroads, canals or streams in the State, and streets and alleys of any incorporated city or town, with the con-

sent and under the direction of the governing board of such city or town, all in the same manner as is provided by law in the case of railroads, pipe lines, telephone and telegraph lines, and providing for the manner of construction; also giving the right to borrow money, issue stock and preferred stock, to mortgage its franchise and property, to secure the payment of debts contracted for the purpose of the corporation; and, further, making it unlawful for such corporation to discriminate against any person, corporation, firm or association or place, in the charge for such gas, electric current or power of the service rendered under similar and like circumstances, and declaring an emergency;" requiring corporations organized thereunder to make connection and to furnish gas, electric current or power on written applications, and declaring a failure or refusal so to do unlawful discrimination, and fixing a penalty, defining an unlawful discrimination and fixing the punishment therefor, and declaring an emergency."

Read first time and referred to Committee on Internal Improvements.

By Senator Lattimore:

S. B. No. 261, A bill to be entitled "An Act to amend Articles 5162, 5163, 5164, of Chapter 6, Title 75, of the Revised Civil Statutes of 1911, and declaring an emergency."

Read first time and referred to Committee on Commerce and Manufactures.

By Senator Lattimore:

S. B. No. 262, A bill to be entitled "An Act to amend Section 6, Chapter 111, of an Act of the Thirty-second Legislature, entitled: 'An Act authorizing the formation of corporation for the purpose of generating, manufacturing, transporting and selling gas, electric current and power in this State, and to make reasonable charges therefor, to construct, maintain and operate power plants and substations and such machinery, apparatus, pipes, poles, wires, devices and arrangements as may be necessary to operate such lines at and between different points in this State, and to own, hold and use lands, rights of way, easements, franchises, buildings and structures necessary for the purpose, with right

to enter upon, condemn and appropriate lands, rights of way, easements and property of any person or corporation and erect lines over and across public roads, railroads, interurbans and street railroads, canals or streams in the state and streets and alleys of any incorporated city or town, with the consent and under the direction of the governing board of such city or town, all in the same manner as is provided by law in the case of railroads, pipe lines, telephone and telegraph lines, and providing for the manner of construction; also giving the right to borrow money, issue stock and preferred stock, to mortgage its franchise and property, to secure the payment of debts contracted for the purposes of the corporation; and, further, making it unlawful for such corporation to discriminate against any person, corporation, firm or association or place, in the charge for such gas, electric current or power of the service rendered under similar and like circumstances, and declaring an emergency; requiring corporations organized thereunder to make connections and to furnish gas, electric current or power on written applications, and declaring a failure or refusal so to do unlawful discrimination, and fixing a penalty defining an unlawful discrimination, and fixing the punishment therefor, and declaring an emergency."

Read first time and referred to Committee on Commerce and Manufactures.

By Senator Lattimore:

S. B. No. 263, A bill to be entitled "An Act to amend Article 3837, and to repeal Article 3838, of the Revised Statutes of the State of Texas, prescribing the fees to be paid to the Secretary of State by mutual building and loan companies, or either, and foreign corporations, and repealing so much thereof as may be in conflict therewith, and declaring an emergency."

Read first time and referred to Committee on Commerce and Manufactures.

By Senator Hall:

S. B. No. 264, A bill to be entitled "An Act to amend Article 889 of the Revised Criminal Statutes of 1911 by adding thereto Article 889a, prohibiting the use of any deer call,

whistle, decoy, horn, call, pipe, reed, or other device, mechanical or natural, used for calling or attracting the attention of deer, and fixing a penalty for the violation of this Act, and declaring an emergency."

Read first time and referred to Judiciary Committee No. 2.

By Senator Bailey of DeWitt, by request:

S. B. No. 265, A bill to be entitled "An Act providing for including navigation as one of the several beneficial uses of such improvements acquired by any person, association of persons, domestic corporation or irrigation district, now or hereafter owning any public water diversion and impounding works, dams, canals, lakes or reservoirs, under and by authority of the laws of Texas, granting the right to the diversion, impounding and appropriation of the unappropriated public waters of rivers, streams, lakes and water sheds, for the purpose of irrigation and other uses; and to include navigation as one of the incidental purposes for which irrigation, etc., corporations may be formed and chartered, with emergency clause."

Read first time and referred to Committee on Mining and Irrigation.

By Senator Bailey of DeWitt, by request:

S. B. No. 266, A bill to be entitled "An Act authorizing private corporations, chartered for the purpose of constructing, maintaining and operating irrigation works, by means of the diversion, retention and impounding of the public water of Texas, by dams, canals, lakes and reservoirs, to use the works, property, improvements, franchise, rights, powers and privileges of such irrigation corporation, in addition to said purpose of irrigation and the other purposes permitted by law to such irrigation corporation for the purpose also of one or more or all of the uses, viz: (a) land drainage, (b) reclamation, inundation, (c) navigation of rivers, canals, lakes, reservoirs and impounded waters, created or improved by such irrigation works and connecting waterways; (d) supplying water to cities, towns and villages or private property, for water service or sewerage, and the construction, maintenance and operation of waterworks and sewerage plants; (e) constructing, maintaining, equipping and op-

erating electric (or petroleum) motor freight and passenger interurban or suburban or urban passenger railroads; (f) furnishing electric power and lights to cities, towns and villages or for private use, and for power, lights, heating or domestic uses, giving and granting to irrigation corporations all the rights, powers, privileges and authority in respect thereto of corporations specially chartered for any one of such additional purposes, and subjecting such irrigation corporations to all the rights, powers, duties, liabilities, obligations, requirements and penalties imposed by law on them, and exempting such irrigation corporations from the necessity of amending charters to include said uses and purposes and from the payment of extra charter or permit fees and franchise taxes, and declaring an emergency."

Read first time and referred to Committee on Mining and Irrigation.

By Senator Morrow, by request:

S. B. No. 267, A bill to be entitled "An Act to amend Section 85, General Laws of the State of Texas, passed at the Regular Session of the Thirty-first Legislature, entitled: 'An Act to authorize the commissioners courts of the several counties in Texas to create and establish improvement districts, to prevent overflows, etc., and declaring an emergency,' authorizing the commissioners courts of the several counties in Texas to create and establish levee improvement districts to prevent floods and overflows and to construct and maintain levees and other improvements on rivers, creeks and streams for such purposes; prescribing the method of organization and management of such districts; declaring such districts body corporate, and authorizing and providing the method of issuance of bonds when desired, and the method of sale or other disposition of such bonds; authorizing the levy, assessment and collection of taxes to provide for the payment of principal and interest thereon; validating bonds issued by levee improvement districts heretofore organized; prescribing duties, powers, compensation, term of office, oath, bond and other requirements of all of the officers of such districts, including the duties and powers of the State Reclamation Engineer relative thereto; prescribing methods of ap-

peal from the decision of the State Reclamation Engineer; authorizing the levy, assessment and collection of taxes for the maintenance and upkeep of levees and other improvements of such districts; granting the right of eminent domain to such levee improvement districts; authorizing the district supervisors to acquire by purchase, gift, grant or condemnation for such districts, title to any right of way or other property and levees or other improvements which may have been previously constructed in such district; authorizing said supervisors to sell any property, material or equipment acquired by such district, and generally authorizing the commissioners courts and district supervisors to do all things necessary for the establishment and maintenance of such districts, and the construction and maintenance of levees and other improvements, according to the provisions of this Act, making it a penal offense for any person wilfully to prevent the district officers or their assistants or the State Reclamation Engineer or his deputies from entering upon any lands or waters for the purpose of carrying out the provisions of this Act and providing a penalty therefor; creating other penal offenses and providing penalties under this Act; repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

Read first time and referred to Committee on State Affairs.

(By unanimous consent.)

By Senator Parr:

S. B. No. 268, A bill to be entitled "An Act to provide for the establishment and maintenance of an agricultural experiment station for the purpose of experimenting with the culture of farm crops, fruits and vegetables, and studying soil problems, to be located in the Seventy-sixth Representative District, and making necessary appropriations therefor, and declaring an emergency."

Read first time and referred to Committee on Agricultural Affairs.

By Senator Astin:

S. B. No. 269, A bill to be entitled "An Act to provide that all expenditures for the Agricultural and Mechanical College of Texas may be made by order of the board of di-

rectors of such college, to be paid on warrants from the Comptroller, on vouchers approved by the president of the board, or by some other officer or officers of the Agricultural and Mechanical College of Texas, designated by him in writing to the Comptroller, and declaring an emergency."

Read first time and referred to Committee on Agricultural Affairs.

By Senator Darwin:

S. B. No. 270, A bill to be entitled "An Act to amend sections 3 and 4 of an Act entitled 'An Act to carry into effect the provisions of the amendment to Section 51 of Article 3, Constitution of the State of Texas,' etc., same being Chapter 141 of the Acts of the Thirty-third Legislature, passed at its regular session, approved April 7, 1913."

Read first time and referred to Committee on State Affairs.

By Senator Darwin:

S. J. R. No. 16, Joint resolution proposing an amendment to Section 9, Article 3, of the Constitution of the State, granting authority to municipalities, political subdivisions of counties and defined districts within one or more counties to vote additional ad valorem tax for the maintenance of public roads; directing the Governor to issue proclamation submitting the proposed amendment to a vote of the people, and making an appropriation therefor.

Read first time and referred to Committee on Constitutional Amendments.

Simple Resolution No. 73.

By Senator Townsend:

Whereas, for the past fifteen years the State of Texas has not been re-districted into senatorial and congressional districts, although such re-districting is required by law once each ten years, and

Whereas, no such districting bills have been reported by any committee to the Senate, and

Whereas, there exists a great necessity for such re-districting at this session of the Legislature, to the end that fair and equitable districts may be created; therefore, be it

Resolved, by the Senate, That the Senate resolves itself into a committee of the whole, to consider all sen-

atorial and congressional bills introduced in the Senate, or to be hereafter introduced, and that such committee meet each night of the session, beginning next Monday, and continue in session two hours each night during the days session of the Senate are held and until senatorial and congressional bills are reported.

(Amendment.)

Amend resolution by striking out all parts of senatorial re-districting.

CLARK.

The resolution was read and referred to the Committee on State Affairs.

Simple Resolution No. 74.

By Senator Hudspeth:

Whereas, on the morning of February 8, 1915, at St. Jo, Texas, the mother of the wife of our distinguished and much esteemed colleague, Senator James R. Wiley, departed this life; therefore, be it

Resolved, That the Senate of Texas express deepest sympathy with Senator Wiley and his good wife in this hour of their bereavement, and that a copy of this resolution be forwarded to our esteemed colleague.

Astin, Bailey of Harris, Bailey of DeWitt, Bee, Brailsford, Conner, Darwin, Gibson, Hall, Suiter, Harley, Harris, King, Lattimore, McCollum, McGregor, Morrow, Page, Parr, Robbins, Smith, Hudspeth, McNealus, Cowell, Johnson, Clark, Townsend, Westbrook.

The resolution was read and unanimously adopted by a rising vote.

House Bill No. 243.

The Chair laid before the Senate as regular order,

H. B. No. 243, A bill to be entitled "An Act to amend Section 1 of Chapter 12 of the Special Laws enacted by the First Called Session of the Thirty-third Legislature, being a special road law for Hopkins County, and declaring an emergency."

The committee report, that the bill be not printed, was adopted.

The bill was read second time and passed to a third reading.

On motion of Senator Darwin, the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 243 put on

its third reading and final passage by the following vote:

Yeas—28.

Astin.	Johnson.
Bailey of DeWitt.	King.
Bailey of Harris.	Lattimore.
Bee.	McCollum.
Brelsford.	McGregor.
Clark.	McNealus.
Conner.	Morrow.
Cowell.	Page.
Darwin.	Parr.
Gibson.	Robbins.
Hall.	Smith.
Harley.	Suiter.
Harris.	Townsend.
Hudspeth.	Westbrook.

Absent—Excused.

Henderson. Wiley.
Nugent.

The bill was laid before the Senate, read third time, and passed by the following vote:

Yeas—28.

Astin.	Johnson.
Bailey of DeWitt.	King.
Bailey of Harris.	Lattimore.
Bee.	McCollum.
Brelsford.	McGregor.
Clark.	McNealus.
Conner.	Morrow.
Cowell.	Page.
Darwin.	Parr.
Gibson.	Robbins.
Hall.	Smith.
Harley.	Suiter.
Harris.	Townsend.
Hudspeth.	Westbrook.

Absent—Excused.

Henderson. Wiley.
Nugent.

Senator Darwin moved to reconsider the vote by which H. B. No. 243 was passed and table the motion to reconsider.

The motion to table prevailed.

House Bill No. 295.

The Chair laid before the Senate, on second reading and regular order, H. B. No. 295, A bill to be entitled "An Act to amend Section 3 of the special road law for Smith County, Texas, passed at the Regular Session of the Thirty-third Legislature,

and known as Chapter 70, Special Laws of the Thirty-third Legislature, and creating an emergency, and providing for the suspension of the constitutional rule requiring bills to be read on three several days."

The committee report, that the bill be not printed, was adopted.

The bill was read second time and passed to a third reading.

On motion of Senator Suiter, the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 295 put on its third reading and final passage by the following vote:

Yeas—28.

Astin.	Johnson.
Bailey of DeWitt.	King.
Bailey of Harris.	Lattimore.
Bee.	McCollum.
Brelsford.	McGregor.
Clark.	McNealus.
Conner.	Morrow.
Cowell.	Page.
Darwin.	Parr.
Gibson.	Robbins.
Hall.	Smith.
Harley.	Suiter.
Harris.	Townsend.
Hudspeth.	Westbrook.

Absent—Excused.

Henderson. Wiley.
Nugent.

The bill was laid before the Senate, read third time, and passed by the following vote:

Yeas—28.

Astin.	Johnson.
Bailey of DeWitt.	King.
Bailey of Harris.	Lattimore.
Bee.	McCollum.
Brelsford.	McGregor.
Clark.	McNealus.
Conner.	Morrow.
Cowell.	Page.
Darwin.	Parr.
Gibson.	Robbins.
Hall.	Smith.
Harley.	Suiter.
Harris.	Townsend.
Hudspeth.	Westbrook.

Absent—Excused.

Henderson. Wiley.
Nugent.

House Bill No. 127.

The Chair laid before the Senate, on second reading, and in regular order,

H. B. No. 127, A bill to be entitled "An Act to amend Articles 586 and 587 of the Penal Code, adopted in 1911, so as to provide penalty for betting on all public elections, and defining public elections, and declaring an emergency."

The bill was read second time and passed to a third reading.

Senator Lattimore moved that the constitutional rule requiring bills to be read on three several days be suspended, and H. B. No. 127 put on its third reading and final passage.

The motion was lost by the following vote, a four-fifths vote being necessary:

Yeas—16.

Conner.	McCollum.
Cowell.	McNealus.
Gibson.	Parr.
Harley.	Robbins.
Harris.	Smith.
Johnson.	Suiter.
King.	Townsend.
Lattimore.	Westbrook.

Nays—8.

Astin.	Hall.
Bailey of DeWitt.	Hudspeth.
Bee.	McGregor.
Clark.	Page.

Present—Not Voting.

Brelsford.	Darwin.
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Absent.

Bailey of Harris.	Morrow.
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Absent—Excused.

Henderson.	Wiley.
Nugent.	

House Bill No. 104.

The Chair laid before the Senate, on second reading,

H. B. No. 104, A bill to be entitled "An Act to amend Article 3136, Chapter 19, Title 49, of the Revised Civil Statutes of Texas of 1911, by making it an additional duty of the Secretary of State to certify all nominations for district office to the various county clerks."

The bill was read, and Senator Lattimore offered the following amendments, which were read and adopted, being acted upon separately:

Amend H. B. No. 104 by striking out the figures "19" in the caption and also in Section 1 of the bill, and inserting the figures "10."

Amend H. B. No. 104 by adding at the end of said bill the following:

"Provided further, that it shall be the duty of the county clerk of each county of this State to certify to the Secretary of State, on or before the fourth Saturday in August succeeding any general primary, the total vote cast in his county for each and every district officer, and in the event no district convention be held as herein provided for, the Secretary of State shall ascertain from the returns so certified who has received the largest vote for such office, and shall certify such fact to each county clerk in such district not later than October 1 of such year."

The bill was passed to a third reading.

Message From the House.

Hall of the House of Representatives,
Austin, Texas, February 11, 1915.

Hon. W. P. Hobby, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bills:

Senate Bill No. 41, A bill to be entitled "An Act to amend Article 3496, entitled 'Estates of Decedents,' Chapter 22, Title 52, of the Revised Statutes of the State of Texas, 1911, regulating the sale of property belonging to estates of decedents," with amendments.

Senate Bill No. 50, A bill to be entitled "An Act making it compulsory to provide adequate fire escapes upon all buildings of over two stories in height, used now or hereafter, wholly or in part as a seminary, college, academy, school house, dormitory, for the accommodation of transient guests, manufactory, wholesale, retail or department store, or in any place in which five or more persons shall be assembled, other than a private residence."

Senate Bill No. 18, A bill to be entitled "An Act to amend Article 3878 of an Act entitled 'Fees of Notaries Public, Chapter 3, Title 58, of the

Revised Civil Statutes of Texas, 1911,' fixing fees of notaries public for protesting bills or notes, issuing notices, giving certificates, taking acknowledgments, making copies, taking depositions and administering oaths," with amendments.

Senate Bill No. 6, A bill to be entitled "An Act to amend Chapter 2 of Title 29 of the Revised Statutes of 1911, by adding thereto Articles 1494, 1494b, 1494c, 1494d, 1494e, 1494f, 1494g, 1494h and 1494i, so as to place the finances of all improvement, navigation, bridges, road or irrigation districts, and all other districts, that are now in existence by authority of law, under the control and supervision of the county auditor, in all counties in which there now exist a county auditor, or in which a county auditor may hereafter be created, and providing for the filing, auditing and approving by him of all bills of said districts, and providing the method of drawing and paying said warrants, and providing for the prescribing of all necessary forms and the supervision by the auditor of the various funds of said districts, and the investment thereof; providing for the checking of all reports by the auditor and the filing of reports by the auditor, and the keeping of books for said districts, and the receipt of money by the treasurer for said districts, and the inspection of all books and accounts by the auditor, and regulating the taking of bids for all supplies, material, labor, etc., and providing for compensation to be paid to the auditor, and authorizing the appointment of assistants to the auditor, and declaring an emergency," with amendments and corrections.

Respectfully,

W. R. LONG,
Chief Clerk, House of Representatives.

House Bill No. 231.

The Chair laid before the Senate, on second reading,

H. B. No. 231, A bill to be entitled "An Act to amend Sections 2 and 14 of an Act creating a special road system for Harrison County, Texas, passed at the Regular Session of the Twenty-ninth Legislature, and known as Chapter 53, Special Laws of the Twenty-ninth Legislature, and which became a law May 9, 1905; fixing

the compensation of road hands and county commissioners; creating an emergency; and providing for the suspension of the constitutional rule requiring bills to be read on three several days."

The committee report was adopted.

The bill was read second time, and passed to a third reading.

On motion of Senator Smith, the constitutional rule requiring bills to be read on three several days was suspended, and H. B. No. 231 put on its third reading and final passage by the following vote:

Yeas—28.

Astin.	Johnson.
Bailey of DeWitt.	King.
Bailey of Harris.	Lattimore.
Bee.	McCollum.
Brelsford.	McGregor.
Clark.	McNealus.
Conner.	Morrow.
Cowell.	Page.
Darwin.	Parr.
Gibson.	Robbins.
Hall.	Smith.
Harley.	Suiter.
Harris.	Townsend.
Hudspeth.	Westbrook.

Absent—Excused.

Nugent.	Wiley.
Henderson.	

The bill was laid before the Senate, read third time, and passed by the following vote:

Yeas—27.

Astin.	King.
Bailey of DeWitt.	Lattimore.
Bailey of Harris.	McCollum.
Bee.	McGregor.
Brelsford.	McNealus.
Clark.	Morrow.
Cowell.	Page.
Darwin.	Parr.
Gibson.	Robbins.
Hall.	Smith.
Harley.	Suiter.
Harris.	Townsend.
Hudspeth.	Westbrook.
Johnson.	

Present—Not Voting.

Conner.

Absent—Excused.

Henderson.	Wiley.
Nugent.	

Senator Smith moved to reconsider the vote by which H. B. No. 231 was passed, and table the motion to reconsider.

The motion to table prevailed.

House Bill No. 132.

The Chair laid before the Senate, on second reading,

H. B. No. 132, A bill to be entitled "An Act to amend Section 2, Chapter 96, of the General Laws of the Regular Session of the Thirty-third Legislature, relating to the taking of fish; the purpose of the amendment being to add to the list of counties exempted by the provisions of said Section, Wood County, and declaring an emergency."

The committee report was adopted.

Senator Suiter offered the following amendments, which were read and adopted, being acted on separately:

Amend H. B. No. 132, by adding at the end of Section 2, page 2, the following: "Provided, further, that it shall be unlawful for any person to build any trap in or across any stream or lake in Wood County, Texas, for the purpose of catching or taking fish from any such streams or lake, and any person violating this provision shall be punished as provided by this Act."

Amend the caption of H. B. No. 132, by inserting after the words "Wood County," and before the and, the words "except that trapping fish shall be prohibited in Wood County."

The bill was read second time, and passed to a third reading.

On motion of Senator Suiter, the constitutional rule requiring bills to be read on three several days was suspended, and H. B. No. 132 put on its third reading and final passage by the following vote:

Yeas—23.

Astin.	Harris.
Bailey of DeWitt.	Hudspeth.
Bee.	Johnson.
Brelsford.	King.
Clark.	Lattimore.
Conner.	McCollum.
Cowell.	McGregor.
Hall.	McNealus.
Harley.	Page.

Parr.	Townsend.
Smith.	Westbrook.
Suiter.	

Absent.

Bailey of Harris.	Morrow.
Darwin.	Robbins.
Gibson.	

Absent—Excused.

Henderson.	Wiley.
Nugent.	

The bill was laid before the Senate, read third time, and passed by the following vote:

Yeas—24.

Astin.	King.
Bailey of DeWitt.	Lattimore.
Bee.	McCollum.
Brelsford.	McGregor.
Clark.	McNealus.
Conner.	Morrow.
Cowell.	Page.
Hall.	Parr.
Harley.	Smith.
Harris.	Suiter.
Hudspeth.	Townsend.
Johnson.	Westbrook.

Absent.

Bailey of Harris.	Gibson.
Darwin.	Robbins.

Absent—Excused.

Henderson.	Wiley.
Nugent.	

Senator Suiter moved to reconsider the vote by which H. B. No. 132 was passed, and table the motion to reconsider.

The motion to table prevailed.

Senate Bill No. 41.

Senator Lattimore moved that the Senate do not concur in the House amendments to S. B. No. 41, and request a free conference committee.

The motion was adopted.

Senator Lattimore moved that Senators Bailey of DeWitt, Cowell, Townsend, Hudspeth and Lattimore be appointed as the committee provided for, on part of the Senate.

The motion was adopted.

Morning call concluded.

Senate Bill No. 131.
(Pending business.)

Action here recurred on the pending business from Tuesday's proceedings, S. B. No. 131, the question being on the pending amendment by Senator Lattimore et al.

(Senator Bailey of Harris in the chair.)

Pending discussion, Senator Bailey of DeWitt moved the previous question on the amendment, which motion was duly seconded.

The motion for the previous question was adopted by the following vote:

Yeas—18.

Bailey of DeWitt.	King.
Bailey of Harris.	McCollum.
Bee.	McGregor.
Brelsford.	Morrow.
Clark.	Page.
Hall.	Parr.
Harley.	Smith.
Harris.	Suiter.
Hudspeth.	Westbrook.

Nays—9.

Conner.	Lattimore.
Cowell.	McNealus.
Darwin.	Robbins.
Gibson.	Townsend.
Johnson.	

Absent.

Astin.

Absent—Excused.

Henderson.	Wiley.
Nugent.	

Action recurred on the pending amendment by Senator Lattimore et al., and the same was lost by the following vote:

Yeas—7.

Cowell.	McNealus.
Darwin.	Townsend.
Johnson.	Westbrook.
Lattimore.	

Nays—20.

Bailey of DeWitt.	Hall.
Bailey of Harris.	Harley.
Bee.	Harris.
Brelsford.	Hudspeth.
Clark.	King.
Conner.	McCollum.
Gibson.	McGregor.

Morrow.
Page.
Parr.

Robbins.
Smith.
Suiter.

Absent.

Astin.

Absent—Excused.

Henderson.
Nugent.

Wiley.

(Lieutenant Governor Hobby in the chair.)

Senator Morrow offered the following amendment:

Amend S. B. No. 131, by striking out of line 6, page 3, the words "and any contract," and by striking out all of lines 7 to 27, inclusive, page 3, the part of said bill to be stricken out being the following:

"And any contract for the leasing or renting of land or tenements at will or for a term of years for agricultural purposes stipulating or fixing a higher or greater rental than that herein provided for, shall be null and void, and shall not be enforceable in any court in this State by any action either at law or in equity and no lien of any kind, either contractual or statutory, shall attach in favor of the landlord, his estate or assigns, upon any of the property named, nor for the purpose mentioned in this Article; and provided, further, that if any landlord or any person for him shall violate or attempt to evade any of the provisions of this Article by collecting or receiving a greater amount of rent for such land, than herein provided, shall be collected or received by him upon any contract, either written or verbal, the tenant or person paying the same, or the legal representatives thereof may, by an action of debt instituted in any court of this State, having jurisdiction thereof, in the county of the defendant's residence, or in the county where such rents or money may have been received or collected, or where said contract may have been entered into, or where the party or parties paying the same resided when such contract was made, within two years after such payment, recover from the person, firm or corporation receiving the same, double the full amount of such rent or money so received or collected."

Morrow, Harley, Page, Darwin.

Pending discussion, Senator McGregor moved the previous question on the amendment and the bill, which motion was duly seconded.

Senator Harley made the point of order that he, as a joint author of the amendment, would have a right to discuss same before the previous question was in order.

Senator Brelsford asked that, by unanimous consent, Senator Harley be permitted to be heard. There was objection.

Senator Lattimore made the point of order that the motion for the previous question was not in order until those who desired to discuss the bill had had the opportunity to do so.

The Chair sustained the point of order.

After discussion, Senator McGregor moved the previous question on the amendment, which motion being duly seconded, was so ordered.

Action recurred on the amendment, and the same was lost by the following vote:

Yeas—8.

Clark.	Johnson.
Cowell.	Lattimore.
Darwin.	Morrow.
Harley.	Page.

Nays—19.

Astin.	King.
Bailey of DeWitt.	McCollum.
Bailey of Harris.	McGregor.
Bee.	Parr.
Brelsford.	Robbins.
Conner.	Smith.
Gibson.	Suiter.
Hall.	Townsend.
Harris.	Westbrook.
Hudspeth.	

Present—Not Voting.

McNealus.

Absent—Excused.

Henderson.	Wiley.
Nugent.	

Senator Clark offered the following amendment:

Amend bill, by striking out all after the word "more," in line 20, page 1, to word "and," in line 22, page 1, and insert in lieu thereof, "at whatever price shall be agreed upon by the land owner and tenant."

The amendment was read, and

Senator Hudspeth moved to table same, which motion to table was adopted by the following vote:

Yeas—20.

Astin.	Johnson.
Bailey of DeWitt.	King.
Bailey of Harris.	McCollum.
Bee.	McGregor.
Brelsford.	McNealus.
Conner.	Parr.
Gibson.	Smith.
Hall.	Suiter.
Harris.	Townsend.
Hudspeth.	Westbrook.

Nays—5.

Clark.	Lattimore.
Cowell.	Page.
Darwin.	

Present—Not Voting.

Harley.	Morrow.
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Absent.

Robbins.

Absent—Excused.

Henderson.	Wiley.
Nugent.	

Senator Hudspeth offered the following amendment, which was read and adopted:

Amend the bill, by adding after the word "collected," in line 11, page 2, the following: "and declaring an emergency."

And amend the bill, by adding Section 2: "The crowded condition of the calendar at this time creates an emergency and imperative public necessity that the constitutional rule requiring bills to be read on three several days be suspended, and it is hereby suspended, and this bill shall take effect from and after its passage."

Senator Lattimore offered the following amendment:

Amend S. B. No. 131, by striking out in the caption all after the word "following," in line 11, and insert in lieu thereof the following:

"Provided, however, this Article shall not apply in any way where a person leases or rents lands at will or for a term of years for agricultural purposes, where the same is cultivated by a tenant who furnishes everything except the land; where a landlord charges a rental of more

than one-third of the grain and more than one-fourth of the cotton raised on said land; nor where the landlord furnishes everything except the labor and the tenant furnishes the labor and the landlord, directly or indirectly, charges a rental of more than one-half of the grain or more than one-half of the cotton raised on said land.

"Providing, further, that any contract fixing a higher or greater rental for agricultural land, cultivated in grain or cotton, than herein provided, is declared to be contrary to public policy, and null and void, and not enforceable in any court in this State.

"Providing, further, that if any landlord or any person for him, shall violate or attempt to evade in any manner the provisions of this Article by collecting or receiving a greater amount of rent for such agricultural land, cultivated in grain or cotton, than herein provided, the tenant or person paying the same may recover penalties."

And by striking out all that portion of the body of the bill beginning on page 2, line 28, after the word "premises," down to and including the remainder of page 2, and all of page 3, and inserting in lieu thereof the following:

"Provided, however, this Article shall not apply in any way where a person leases or rents lands at will or for a term of years for agricultural purposes, where the same is cultivated by a tenant who furnishes everything except the land; where a landlord charges a rental of more than one-third of the grain and more than one-fourth of the cotton raised on said land; nor where the landlord furnishes everything except the labor and the tenant furnishes the labor, and the landlord, directly or indirectly, charges a rental of more than one-half of the grain or more than one-half of the cotton raised on said land.

"Provided, further, that any contract fixing a higher or greater rental for agricultural land, cultivated in grain or cotton, than herein provided, is declared to be contrary to public policy, and null and void, and not enforceable in any court in this State.

"Provided, further, that if any landlord, or any persons for him, shall violate or attempt to evade in

any manner the provisions of this Article by collecting or receiving a greater amount of rent for such agricultural land, cultivated in cotton or grain, than herein provided, the tenant or person paying the same may, by an action of debt instituted in any court in this State having jurisdiction thereof, in the county of the defendant's residence, or in the county where such rents or money may have been received or collected, or where said contract may have been entered into, recover from the person, firm or corporation receiving same, double the amount of all such rent or money so paid and received."

The amendment was read and Senator Bailey of DeWitt moved to table same, which motion to table was adopted by the following vote:

Yeas—20.

Astin.	Hudspeth.
Bailey of DeWitt.	King.
Bailey of Harris.	McCollum.
Bee.	McGregor.
Brelsford.	Page.
Clark.	Parr.
Conner.	Robbins.
Gibson.	Smith.
Hall.	Suiter.
Harris.	Townsend.

Nays—7.

Cowell.	McNealus.
Darwin.	Morrow.
Johnson.	Westbrook.
Lattimore.	

Present—Not Voting.

Harley.

Absent—Excused.

Henderson.	Wiley.
Nugent.	

Senator Bailey of DeWitt moved the previous question on the engrossment of the bill, which motion, being duly seconded, was ordered.

The bill was passed to engrossment by the following vote:

Yeas—23.

Astin.	Gibson.
Bailey of DeWitt.	Hall.
Bailey of Harris.	Harris.
Bee.	Hudspeth.
Brelsford.	Johnson.
Conner.	King.

McCollum.	Robbins.
McGregor.	Smith.
McNealus.	Sulter.
Morrow.	Townsend.
Page.	Westbrook.
Parr.	

Nays—5.

Clark.	Harley.
Cowell.	Lattimore.
Darwin.	

Absent—Excused.

Henderson.	Wiley.
Nugent.	

On motion of Senator Bailey of DeWitt, the constitutional rule requiring bills to be read on three several days was suspended, and S. B. No. 131 put on its third reading and final passage by the following vote:

Yeas—26.

Astin.	King.
Bailey of DeWitt.	Lattimore.
Bailey of Harris.	McCollum.
Bee.	McGregor.
Brelsford.	McNealus.
Conner.	Morrow.
Cowell.	Page.
Darwin.	Parr.
Gibson.	Robbins.
Hall.	Smith.
Harris.	Sulter.
Hudspeth.	Townsend.
Johnson.	Westbrook.

Nays—2.

Clark.	Harley.
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Absent—Excused.

Henderson.	Wiley.
Nugent.	

The bill was laid before the Senate, read third time, and passed by the following vote:

Yeas—23.

Astin.	King.
Bailey of DeWitt.	McCollum.
Bailey of Harris.	McGregor.
Bee.	McNealus.
Brelsford.	Morrow.
Conner.	Page.
Darwin.	Parr.
Gibson.	Robbins.
Hall.	Smith.
Harris.	Sulter.
Hudspeth.	Westbrook.
Johnson.	

Nays—4.

Clark.	Harley.
Cowell.	Lattimore.

Absent—Excused.

Henderson.	Wiley.
Nugent.	

Pairs Recorded.

Senator Townsend (present), who would vote "aye"; Senator Wiley (absent), who would vote "nay."

Senator Bailey of DeWitt moved to reconsider the vote by which S. B. No. 131 was passed, and table the motion to reconsider.

The motion to table prevailed.

Reasons for Voting.

My reasons for voting "aye" are, the bill is an administration measure, and a platform demand.

GIBSON.

My reasons for voting "nay" is that the bill is impracticable and unconstitutional.

HARLEY.

I vote for S. B. No. 131 because it is offered as a platform demand, and its authors insist it is legal. I doubt its constitutionality and doubt the wisdom of part of it. I offered an amendment striking out what I deemed the illegal and unwise part of it, but the Senate, in its wisdom, has rejected said amendment, and a majority indicated its wish to pass the bill. I yield to the judgment of the Senate.

MORROW.

I vote "aye" on the final passage of S. B. No. 131 for the following reasons:

1. The Governor of Texas was elected upon this issue and the people, by their votes, declared that his views upon this question should be enacted into law.

2. The Democratic platform adopted at El Paso, declared that the principles embodied in this bill should be enacted into law.

PAGE.

I vote "aye" on final passage of S. B. No. 131, in violation of my personal convictions, in deference to the action of the voters at the ballot box, regardless of the action of the

El Paso convention or any declaration in the El Paso platform.
M'NEALUS.

Message From the House.

Hall of the House of Representatives,
Austin, Texas, February 11, 1915.

Hon. W. P. Hobby, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bill:

House Bill No. 177, A bill to be entitled "An Act to amend Sections 26 and 53, of Article 30, Title 5, of the Revised Civil Statutes of Texas, 1911, and to fix the time for holding the district courts in the Twenty-sixth and Fifty-third Judicial Districts of the State of Texas; to define the jurisdiction of said courts; to provide for the venue and transfer of causes in the Twenty-sixth and Fifty-third Judicial Districts; and to create a criminal district court for the counties of Travis and Williamson, and to prescribe the jurisdiction thereof as a criminal court, and to hear and determine claims against the State of Texas; to fix a time for holding the terms thereof; to provide for the appointment and election of a judge thereof; to provide for the sheriff, clerk and attorney thereof, and their election; to limit and conform thereto the jurisdiction of the district courts of the Twenty-sixth and Fifty-third Judicial Districts of the State of Texas; to conform and validate all writs, processes, bonds, recognizances, and drawing of petit and grand juries of such courts to the changes made herein; to repeal all laws, and parts of laws in conflict herewith, and declaring an emergency."

Respectfully,

W. R. LONG,

Chief Clerk, House of Representatives.

House Bills Read and Referred.

The Chair (Lieutenant Governor Hobby) had referred, after its caption had been read, the following House bill:

H. B. No. 177, referred to Committee on Judicial Districts.

Senate Bill No. 6.

Senator Bailey of Harris called up S. B. No. 6, with the following House amendments:

Amend S. B. No. 6, on page 2, Section 1, by striking out the word "in" at the end of line 2, and by striking out the words "all counties," in line 3, and by adding the word "or" before "in," in line 4.

Senator Bailey of Harris moved that the Senate concur in the House amendments, which motion was adopted by the following vote:

Yeas—27.

Astin.	King.
Bailey of DeWitt.	Lattimore.
Bailey of Harris.	McCollum.
Bee.	McGregor.
Brelsford.	McNealus.
Clark.	Morrow.
Conner.	Page.
Cowell.	Parr.
Darwin.	Robbins.
Hall.	Smith.
Harley.	Suiter.
Harris.	Townsend.
Hudspeth.	Westbrook.
Johnson.	

Absent.

Gibson.

Absent—Excused.

Henderson.
Nugent.

Wiley.

Senator Bailey of Harris moved to reconsider the vote by which the amendments were concurred in, and table the motion to reconsider.

The motion to table prevailed.

Senate Bill No. 204.

Senator Clark called up, from the table, on third reading,

S. B. No. 204, A bill to be entitled "An Act to appropriate out of the general revenue not heretofore appropriated, the sum of \$25,000.00, or so much thereof as may be necessary, to defray the expenses of the Department of the State Health Officer of the State of Texas in preventing an outbreak of the bubonic plague or the spread thereof in Texas, and declaring an emergency."

The bill was read third time, and passed by the following vote:

Yeas—19.

Astin.	King.
Bailey of DeWitt.	McCollum.
Bailey of Harris.	McGregor.
Bee.	McNealus.
Brelsford.	Page.
Clark.	Parr.
Cowell.	Robbins.
Darwin.	Smith.
Hall.	Westbrook.
Hudspeth.	

Nays—9.

Conner.	Lattimore.
Gibson.	Morrow.
Harley.	Suiter.
Harris.	Townsend.
Johnson.	

Absent—Excused.

Henderson.	Wiley.
Nugent.	

Senator Clark moved to reconsider the vote by which S. B. No. 204 was passed, and table the motion to reconsider.

The motion to table prevailed.

Senate Bill No. 240.

(By unanimous consent.)

The Chair laid before the Senate, on second reading,

S. B. No. 240, A bill to be entitled "An Act creating the Hedley Independent School District in Donley County, Texas; providing for a board of trustees in said independent school district, and conferring upon said district and its board of trustees all the rights, powers, privileges and duties now conferred and imposed by the General Laws of the State upon independent school districts and the board of trustees thereof; to provide for the election of trustees, for the raising of revenue, issuing bonds, building and maintaining school houses, maintaining public free schools, declaring valid an issue of bonds heretofore made; declaring valid a maintenance tax heretofore voted, and declaring an emergency."

The committee report was adopted.

The bill was read second time, and passed to engrossment.

On motion of Senator Johnson, the constitutional rule requiring bills to be read on three several days was suspended, and S. B. No. 240 put on

its third reading and final passage by the following vote:

Yeas—28.

Astin.	Johnson.
Bailey of DeWitt.	King.
Bailey of Harris.	Lattimore.
Bee.	McCollum.
Brelsford.	McGregor.
Clark.	McNealus.
Conner.	Morrow.
Cowell.	Page.
Darwin.	Parr.
Gibson.	Robbins.
Hall.	Smith.
Harley.	Suiter.
Harris.	Townsend.
Hudspeth.	Westbrook.

Absent—Excused.

Henderson.	Wiley.
Nugent.	

The bill was laid before the Senate, read third time, and passed by the following vote:

Yeas—28.

Astin.	Johnson.
Bailey of DeWitt.	King.
Bailey of Harris.	Lattimore.
Bee.	McCollum.
Brelsford.	McGregor.
Clark.	McNealus.
Conner.	Morrow.
Cowell.	Page.
Darwin.	Parr.
Gibson.	Robbins.
Hall.	Smith.
Harley.	Suiter.
Harris.	Townsend.
Hudspeth.	Westbrook.

Absent—Excused.

Henderson.	Wiley.
Nugent.	

Senator Johnson moved to reconsider the vote by which S. B. No. 240 was passed and table the motion to reconsider.

The motion to table prevailed.

Senate Bill No. 233.

(By unanimous consent.)

The Chair laid before the Senate on second reading,

S. B. No. 233, A bill to be entitled "An Act to amend Section 10 of Chapter 75, of the General Laws of the State of Texas, passed at the

Regular Session of the Twenty-seventh Legislature, as amended by Act of the Thirtieth Legislature of the State of Texas, Chapter 65, page 545, of the Special Laws of said Legislature, so as to provide in said Section 10 an increase in the pay of said county commissioners when acting as ex officio road commissioners, and declaring an emergency."

The committee report was adopted.

Senator Cowell offered the following amendment, which was read and adopted:

Amend the bill by striking out of Section 1 where they appear after the figure 1 the following words: "Be it enacted by the Legislature of the State of Texas," and insert the same words between the caption and Section 1 of the bill.

The bill was read second time and passed to engrossment.

On motion of Senator Cowell, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 233 put on its third reading and final passage by the following vote:

Yeas—27.

Astin.	King.
Bailey of DeWitt.	Lattimore.
Bailey of Harris.	McCollum.
Bee.	McGregor.
Brelsford.	McNealus.
Clark.	Morrow.
Cowell.	Page.
Darwin.	Parr.
Gibson.	Robbins.
Hall.	Smith.
Harley.	Suiter.
Harris.	Townsend.
Hudspeth.	Westbrook.
Johnson.	

Absent.

Conner.

Absent—Excused.

Henderson.	Wiley.
Nugent.	

The bill was laid before the Senate, read third time, and passed by the following vote:

Yeas—27.

Astin.	Clark.
Bailey of DeWitt.	Cowell.
Bailey of Harris.	Darwin.
Bee.	Gibson.
Brelsford.	Hall.

Harley.	Morrow.
Harris.	Page.
Hudspeth.	Parr.
Johnson.	Robbins.
King.	Smith.
Lattimore.	Suiter.
McCollum.	Townsend.
McGregor.	Westbrook.
McNealus.	

Absent.

Conner.

Absent—Excused.

Henderson.	Wiley.
Nugent.	

Senator Cowell moved to reconsider the vote by which S. B. No. 233 was passed and table the motion to reconsider.

The motion to table prevailed.

Bills Signed.

The Chair, Lieutenant Governor Hobby, gave notice of signing, and did sign, in the presence of the Senate, after their captions had been read, the following bills and resolutions:

H. B. No. 48, A bill to be entitled "An Act to amend Chapter 68 of the Thirty-second Legislature, and Chapter 104 of the Thirty-third Legislature, and to provide that sand and other deposits taken for the raising of the grade of the salt flats in the northern part of Corpus Christi and the lowlands lying north of the north boundary line of the city of Corpus Christi, in Nueces County, Texas, shall be exempt from the provisions of said Chapter 68, and declaring an emergency."

S. B. No. 16, A bill to be entitled "An Act requiring hotels, cafes, restaurants and all public eating houses in this State to sterilize in hot boiling water all plates, cups, saucers, knives, forks, spoons and such other utensils as may be used in serving meals and drinks after being used and before permitting them to be used again, and declaring an emergency," with amendments.

S. B. No. 20, A bill to be entitled "An Act to amend Chapter 10 of the Acts of the Thirty-third Legislature, relating to the imposition of fees of road commissioners of Fayette and Atascosa Counties."

Adjournment.

Senator Hall, at 6:15 o'clock, p. m., moved that the Senate adjourn until 10 o'clock tomorrow morning, which motion was lost.

Senator Darwin moved that the Senate adjourn until 2 o'clock, p. m., tomorrow, which motion prevailed by the following vote:

Yeas—17.

Astin.	Hudspeth.
Bailey of DeWitt.	King.
Bailey of Harris.	McCollum.
Bee.	McGregor.
Brelsford.	McNealus.
Clark.	Morrow.
Darwin.	Page.
Gibson.	Parr.
Harley.	

Nays—8.

Cowell.	Smith.
Hall.	Suiter.
Johnson.	Townsend.
Lattimore.	Westbrook.

Absent.

Conner.	Robbins.
Harris.	

Absent—Excused.

Henderson.	Wiley.
Nugent.	

APPENDIX A.**Committee Reports.**

Committee Room,
Austin, Texas, February 11, 1915.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Judiciary No. 1, to whom was referred

S. B. No. 183 and S. B. No. 216, said first numbered bill being entitled "An Act relating to the petroleum industry, defining and regulating common carriers of oil, creating the Petroleum Commission, etc." Said Senate Bill No. 216, being entitled "An Act to authorize the formation of domestic corporations for the purpose of buying, selling, storing and transporting oil, etc."

Have had said bills under consideration, and I am instructed to report said bills back to the Senate with the recommendation that they

do not pass, but that in lieu hereof the following substitute bill, prepared by said committee, do pass. Said substitute bill being as follows:

MORROW, Chairman.

S. S. B. No. 183 and 216.

By Committee.

A BILL

To be entitled

An Act defining common carrier pipe lines engaged or to engage in the transportation of petroleum oil; declaring all corporations, persons, partnerships or association of persons now engaged or to hereafter engage in transporting petroleum oil from place to place in this State to be common carriers, declaring such common carriers to be public utilities and making them subject to the provisions of this Act, and conferring on them the right to prospect for and produce oil and gas; creating a Petroleum Commission with the power to regulate the rate of such transportation and storage by such common carrier; providing for the storage of products to be transported by them; granting them the right to establish, maintain and operate telegraph lines upon their right-of-way in connection with their business and to build and maintain their line under and across or along streams, highways, streets and other common carriers within this State; and providing against discrimination in favor of or against individuals, associations of persons, or corporations in the conduct of their business; requiring them to exchange tonnage with other common carriers; and to receive and transport petroleum oil tendered to them for transportation; empowering such Commission to make rules and regulations for their conduct and to require the construction and maintenance by them of loading racks and transfer and delivery stations and the transfer and delivery of petroleum from such common carrier to another and to fix the charges therefor, and to define merchantable oil, and to fix the amount of deduction to be made therefrom on account of water and other foreign substances and on account of evaporation and leak-

age; and giving such Commission plenary power to make rules and regulations for the control of such carrier and power to enforce their rules and regulations and the provisions of this Act; prescribing notice to be given by such carriers of the reduction of credit balance prices, fixing penalties for violation of this Act, and the rules and orders of said Commission, making certain violations a criminal offense and fixing the penalty therefor and providing means for the recovery of such penalties as are not made criminal either by the State of Texas or the party aggrieved by such violation, naming the tribunal in which such recovery may be had, repealing all laws in conflict with this Act, providing that the invalidity of any part of this Act shall not invalidate the remaining parts hereof, and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. Any person, firm, corporation, limited partnership, joint stock association or association of any kind whatever;

(a) Owning, operating, managing or controlling any pipe line or any part of any pipe line, plant or equipment within the State of Texas for the transportation of crude oil or petroleum, either directly or indirectly to or for the public for hire, compensation or consideration of any kind paid, given or received, directly or indirectly, for such transportation, or engaged directly or indirectly in the business of transporting crude oil or petroleum; or

(b) Owning, operating, managing or controlling any pipe line or any part of any pipe line, plant or equipment for the transportation of crude oil or petroleum, directly or indirectly, to or for the public for hire, compensation or consideration of any kind paid or received directly or indirectly for such transportation, and which said pipe line, plant or equipment is constructed or maintained upon, along, over or under any public road or highway and in favor of whom the right of eminent domain exists; or

(c) Owning, operating, managing or controlling, directly or indirectly, any pipe line or any part of any pipe line or pipe lines, plant or equipment of any pipe line system,

or any part thereof, for transportation, directly or indirectly, to or for the public for hire or otherwise, of crude oil or petroleum, and which said pipe line or pipe lines or plant or equipment or system is or may be constructed, operated or maintained across, upon, along, over or under the right-of-way of any railroad corporation or other common carrier required by law to transport crude oil or petroleum as a common carrier; or

(d) Owning, operating, managing or controlling, directly or indirectly, or participating in ownership, operation, management or control, directly or indirectly, under lease, contract or purchase agreement to buy or sell or other contractual or tacit agreement or arrangement of any kind or character whatsoever, any pipe line or pipe lines, or any part of any pipe line or pipe lines, plant or equipment of pipe line system, or any part of any pipe line system, for transportation of crude oil or petroleum, or from any oil field or place of production, within the State of Texas, to any distributing, refining or marketing center or reshipping point therefor, within this State, and which said pipe line runs along, across or under any stream or public highway within this State, or right-of-way of any railroad within this State;

Are hereby declared to be common carriers and subject to the provisions hereof.

Sec. 2. The purchase, or the purchase and sale, of crude oil by any person, firm, association of persons, joint stock company, or corporation, using in connection therewith a pipe line for the transportation of such oil bought or sold, is hereby declared to be a business in which the public is interested, since the mode of conduct thereof affects the price which the public must pay for the refined products or crude petroleum and as such is subject to regulation; accordingly it is enacted that from and after July 1, 1915, no person, firm, association of persons, joint stock company, or corporation owning, operating or controlling a pipe line in connection with or for the transportation of such crude oil bought or sold, shall be permitted to transact such business of purchasing, or purchasing and selling, crude oil, except when a common carrier pipe

line, subject to this law and the jurisdiction herein conferred upon this Commission, and it shall be the duty of the Attorney General to enforce this provision by injunction or other adequate remedy.

Sec. 3. The right to lay, maintain and operate pipe lines, together with telegraph and telephone lines incidental to and designed for use in connection with the operation of such pipe lines along, across, over or under any public highway in this state is hereby conferred upon all persons, firms, corporations, limited partnerships, joint stock associations, or corporations coming within any of the definitions of common carrier pipe lines as hereinbefore defined, but such right is denied, and shall never be granted or extended by any county or local authority to any other than such common carrier pipe line. Any person, firm, limited partnership, joint stock association, or corporation may acquire the right to construct pipe lines and such incidental telephone and telegraph lines along, across or over any public road or highway in this State, by filing with the secretary of the Petroleum Commission, hereinafter created, an acceptance of the provisions of such law, expressly agreeing in writing that in consideration of the right so acquired it shall be and become a common carrier pipe line subject to the duties and obligations conferred or imposed in this Act. This right to run along, across or over any public road or highway as before provided for can only be exercised upon condition that the traffic thereon be interfered with as little as possible and that such road or highway be promptly restored to its former condition of usefulness. And such persons, firms, limited partnerships, joint stock associations and corporations shall have the right to prospect for and produce oil and gas subject to the provisions of this Act.

Sec. 4. A commission is hereby created to be called "The Petroleum Commission" and to be composed of the Attorney General, the Commissioner of Insurance and Banking, and Commissioner of Petroleum, the latter to be appointed by the Governor, by and with the advice and consent of the Senate, and to hold office during the term of service of the Governor and until his successor shall be duly appointed and quali-

fied. The Commissioner of Petroleum shall receive a salary of four thousand dollars per year, payable in equal monthly installments.

Sec. 5. The Commissioner of Petroleum shall act as chairman of the commission and the commission may appoint a secretary at a salary of twenty-four hundred dollars per annum, payable in equal monthly installments. The Commissioner of Petroleum shall maintain his office in the city of Austin, Texas, and the commission shall hold its meetings there, but may hold special meetings at any point within this State as the commission may from time to time determine. The commission shall make rules for its own government and the decision of a majority of the members on any matter shall constitute the decision of the commission.

Sec. 6. The salaries and expenses of the commission and of the secretary and the expenses of the hearings and investigations conducted by said commission shall be paid out of a fund to be derived from a tax of one-twentieth of one per cent of the gross revenues derived from crude oil produced, within this State, which tax is hereby levied and which tax shall be in addition to and collected like the present gross receipts production tax on oil.

Sec. 7. Said commission shall have the power and it shall be its duty to establish and enforce reasonable and just rates of charges and regulations for gathering, transporting, storing, loading and delivering of oil by such common carriers in this State and for the use of such storage facilities as said common carriers have or may provide for public storage of oil and to prescribe and enforce such reasonable rules and regulations for the government and control of such common carriers in respect to their pipe line, receiving, transferring and loading facilities as the Railroad Commission of this State now has the power to exercise with respect to facilities of railroads.

Sec. 8. Every common carrier of oil shall exchange tonnage with connecting carriers and the commission shall have the power to require such connections for the interchange of tonnage to be made whenever a reasonable necessity therefor shall arise and subject to such reasonable rules

and regulations as may be made by the commission; and any such common carrier of oil under like reasonable rules and regulations shall be required to install and maintain facilities for the receipt and delivery of oil of patrons at all points when business warrants the expenditure. No carrier shall be required to receive or transport any oil except such as may be marketable under rules and regulations to be prescribed by the commission, which they are hereby empowered and required to prescribe. Such commission is also empowered and required to make rules for the ascertainment of the amount of water and other foreign matter in oil for storage or transportation and for deductions therefor and for the amount of deduction to be made for temperature, leakage and evaporation. It is provided, however, that the recital herein of particular powers on the part of said commission shall not be construed to limit the general powers conferred by this Act.

Sec. 9. Such common carriers of oil shall make and publish their tariffs under such rules and regulations as may be prescribed by said commission, and the commission may require them to make reports and may investigate their books and records kept in connection with such business to the same extent that the Railroad Commission now has the power to require reports of railroads and investigate their books and records. The commission may require of such common carrier pipe lines reports from time to time, duly verified under oath, of the total quantities of oil owned by such pipe lines or held by them in storage for others, as also of their unfilled storage capacity, provided no publicity shall be given by the commission to the reports as to stocks of oil on hand of any particular pipe line; but the commission in its discretion may make public the aggregate amounts held by all the pipe lines making such reports. The commission shall have the power and authority to hear and determine complaints, to require attendance of witnesses and to institute suits and sue out such writs and process as may be necessary for the enforcement of its orders.

Sec. 10. No such common carrier of oil in its operation as such shall discriminate between or against ship-

pers in regard to facilities furnished or service rendered or rates charged under same or similar circumstances or in the transportation of oil produced or purchased by itself directly or indirectly; in this connection it is provided that the pipe line shall be considered as shipper of the oil produced or purchased by itself directly or indirectly and handled through its facilities. No such carrier in such operations shall directly or indirectly charge, demand, collect or receive from anyone a greater or less compensation for any service rendered than from another for a like and contemporaneous service; provided this shall not limit the right of the commission to prescribe rates and regulations different from or to some places from other rates or regulations for transportation from or to other places, as it may be determined to be just and reasonable; nor shall any carrier be guilty of discrimination when obeying any valid order of the commission. When there shall be offered for transportation more oil than can be transported the runs shall be equitably apportioned under specific orders of the commission or general regulations which it may adopt in such regard.

Sec. 11. The commission when necessary shall make and enforce reasonable rules and regulations either general in their nature or applicable to particular oil fields for the prevention of waste of oil or operations in the field dangerous to life or property.

Sec. 12. Any common carrier as herein defined who shall violate any provision of this Act or who shall fail to perform any duty herein imposed or any valid order of the commission when not stayed or suspended, shall be subject to a penalty of not less than one hundred dollars nor more than one thousand dollars for each offense, such penalty to be recoverable at suit of the Attorney General of the State of Texas in the name of the State and for its use and such suit may be instituted and maintained in any court of this State having jurisdiction of the amount in controversy. Such penalty may also be recovered by and for the use of any person, corporation, or association of persons who may be aggrieved by such violation or neglect of duty, such suit to be brought in name of and for use of party aggrieved and may be maintained in

any court of proper jurisdiction having due regard to the ordinary statutes of venue. For the violation of the provisions herein forbidding discrimination on the part of common carriers it is hereby provided that the officers, agents or employees of such carriers who may be guilty thereof shall be deemed guilty of a misdemeanor; each violation of such provision shall be a separate offense and upon conviction thereof the party violating same shall be fined in a sum of not less than fifty dollars nor more than one thousand dollars and shall be further punished by confinement in the county jail for not less than ten days nor more than six months.

Sec. 13. Every such common carrier shall before reducing the credit balance price of oil held in storage by it for others post written notice of such intention and of the price to which it will be reduced, this notice to be posted in a conspicuous place in the central office of such carrier ten days before such reduction takes effect.

Sec. 14. Subject to the provisions of this Act and the rules and regulations which may be prescribed by the Petroleum Commission, every such common carrier shall receive and transport oil delivered to it for transportation and shall so receive and transport same and perform its other duties with respect thereto without discrimination.

Sec. 15. All laws and parts of laws in conflict with the provisions of this Act are hereby repealed.

Sec. 16. If any provision of this Act shall be held unconstitutional or for any other reason shall be held to be void, or if more than one provision of this Act shall be held to be void, such holding shall not have the effect to nullify the remaining parts of this Act, but the parts not so held to be void shall nevertheless remain in full force and effect.

Sec. 17. Whereas there is no law in this State regulating corporations, persons or associations of persons engaged in the business of transporting oil by pipe line for hire, and no law regulating the storage of oil for hire, and no law bringing persons and associations of persons so engaged within the definition of common carriers and public utilities, and no tribunal having jurisdiction thereof, now, therefore, it is hereby declared that an emergency exists creating an im-

perative public necessity for the suspension of the constitutional rule requiring bills to be read on three several days and the same is hereby suspended, and this law shall take effect and be in force from and after its passage, and it is so enacted.

Committee Room,

Austin, Texas, February 11, 1915.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on State Affairs, to whom was referred

S. B. No. 237, A bill to be entitled "An Act requiring railroads to allow at least four days rest in each calendar month to certain employes, and providing penalties for violations of the Act,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, with the following amendment:

Line 8 of Section 1 of the bill, amend the bill by striking out the words "at least four days of twenty-four consecutive hours each in every calendar month," and adding in lieu thereof the words: "each Sunday during each calendar month."

McCOLLUM, Chairman.

Committee Room,

Austin, Texas, February 11, 1915.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Judiciary Committee No. 1, to whom was referred

S. B. No. 199, a bill to be entitled "An Act to amend Section 2 of Chapter 83 of the General Laws of the Thirty-second Legislature, relating to exemptions as affecting employes and ex-employes of common carriers, express, railway, telegraph, news and other companies, persons and corporations performing service for or in connection with the operation of the railways; the State Railroad Commissioners, peace officers and representatives of industrial fairs and farmers' congresses and institutes and farmers' unions, deputy sheriffs, United States marshals and not more than two deputies of each such marshal; chiefs of police and city marshals; eleemosynary and religious societies; volunteer firemen and Confederate veterans; the State Game, Fish and Oyster Commissioner and his two chief deputies; State and county health officers; govern-

ment representatives accompanying fish for free distribution in the streams of this State; the Dairy and Food Commissioner and two chief deputies; the Commissioner of Labor Statistics and deputies and inspectors, not exceeding five (5) in number; the State Revenue Agent and his deputy; and providing for right of contract between railway companies and editors, proprietors or publishers of newspapers and magazines; persons who have been instrumental in securing the passage by the United States Congress of statutes providing for the equipment of railroad trains with safety appliances; constables; members of the State militia in uniform when called into service."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, with the following amendments:

Amend the bill by including in same "fire marshals of cities and incorporated towns, and all persons acting as sureties for railroad companies, not exceeding two in each county."

Amend the bill by including in same "superintendents of government fish hatcheries in this State."

MORROW, Chairman.

(Minority Report.)

Committee Room,

Austin, Texas, February 11, 1915.

Hon. W. P. Hobby, President of the Senate.

Sir: A minority of your Judiciary Committee No. 1, to whom was referred S. B. No. 199, have had the same under consideration, and a minority of said committee beg leave to report the same back to the Senate with the recommendation that it do not pass.

CONNER.

Committee Room,

Austin, Texas, February 11, 1915.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Stock and Stock Raising, to whom was referred

S. B. No. 253, a bill to be entitled "An Act to appropriate twenty-five thousand dollars for the use of the Live Stock Sanitary Commission of Texas, to make and enforce quaran-

tine rules and regulations against the introduction into Texas of foot and mouth disease among live stock, and to disinfect or destroy premises where necessary and kill such live stock as may be necessary to stamp out and prevent the spread of such disease if introduced in Texas, and to pay for property destroyed and carrying out quarantine, disinfecting premises and other expenses connected therewith; and to authorize the Live Stock Sanitary Commission to act in conjunction with the Bureau of Animal Industry of the United States in the killing and destroying such animals and premises, and in disinfecting premises and paying therefor out of such appropriation, and to provide penalties for violation of such rules and regulations and for other purposes."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

CLARK, Chairman.

Committee Room,

Austin, Texas, February 11, 1915.

Hon. W. P. Hobby, President of the Senate.

Sir: We, your Committee on Constitutional Amendments, to whom was submitted Senate Joint Resolution No. 14,

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

McGREGOR, Chairman.

Committee Room,

Austin, Texas, February 11, 1915.

Hon. W. P. Hobby, President of the Senate.

Sir: We, your Committee on Constitutional Amendments, to whom was referred Senate Joint Resolution No. 15,

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

McGREGOR, Chairman.

Committee Room,

Austin, Texas, February 11, 1913.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on State Affairs, to whom was referred

S. B. No. 211, A bill to be entitled "An Act prohibiting the use of locomotives on railroads allowing sufficient steam to escape to obscure the vision of those operating same or employed around such locomotive; providing penalties for violation of the Act,"

Have had the same under consideration and a majority thereof have instructed me to report the same back to the Senate with the recommendation that it do not pass.

McCOLLUM, Chairman.

(Minority Report.)

Committee Room,
Austin, Texas, February 11, 1915.

Hon. W. P. Hobby, President of the Senate.

Sir: A minority of your Committee on State Affairs, to whom was referred S. B. No. 211, have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do not pass, but that the following substitute do pass in lieu thereof:

A BILL
To be entitled

An Act prohibiting the use of locomotives on railroads allowing sufficient steam to escape to obscure the vision of those operating the same or employed around such locomotive; providing penalties for violation of the Act.

Be it enacted by the Legislature of the State of Texas:

Section 1. No locomotive, from which steam escapes to such an extent as to obstruct the view of the men operating such locomotive, shall be used or permitted to be used in any yard or over any railroad or portion of a railroad, in this State; provided that this Act shall not apply to the result of accident between terminals, until the engine reaches its destination.

Sec. 2. Any railroad company or any receiver of any railroad company doing business in the State of Texas which shall violate any of the provisions of this Act shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined a sum not less than fifty (\$50.00) dollars nor more than two hundred (\$200.00) dollars for each offense.

WESTBROOK.

Committee Room,
Austin, Texas, February 11, 1915.

Hon. W. P. Hobby, President of the Senate:

Sir: Your Committee on Judiciary No. 1, to whom was referred

S. B. No. 144, a bill to be entitled "An Act relating to Negotiable Instruments and to establish a law uniform with such other states as have adopted the Uniform Negotiable Instrument Law; repealing all laws or parts of laws in conflict herewith and declaring an emergency,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

MORROW, Chairman.

Committee Room,
Austin, Texas, February 11, 1915.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Judiciary No. 1, to whom was referred

S. B. No. 193, a bill to be entitled "An Act to amend Article 7608, Article 7610, Title 126, Chapter 13, of the Revised Statutes of Texas, relating to the bonds of county collectors and repealing all laws in conflict therewith and declaring an emergency,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

MORROW, Chairman.

Committee Room,
Austin, Texas, February 11, 1915.

Hon. W. P. Hobby, President of the Senate.

Sir: A majority of your Committee on Judiciary No. 1, to whom was referred

H. B. No. 160, a bill to be entitled "An Act to amend Article 5217 of the Revised Civil Statutes of Texas of 1911, so as to provide that nine members of a jury may render a verdict in civil cases in the district court, and to repeal all laws in conflict with this Act,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do not pass.

MORROW, Chairman.

(Minority Report.)

Committee Room,
Austin, Texas, February 11, 1915.

Hon. W. P. Hobby, President of the Senate.

Sir: A minority of your Committee on Judiciary No. 1, to whom was referred H. B. No. 160, have had the same under consideration, and a minority of said committee beg leave to report the same back to the Senate with the recommendation that it do pass.

CONNER,
BEE.

Committee Room,
Austin, Texas, February 11, 1915.
Hon. W. P. Hobby, President of the Senate.

Sir: A majority of your Committee on Judiciary No. 1, to whom was referred

S. B. No. 92, a bill to be entitled "An Act to amend Article 1121, Revised Civil Statutes of 1911, by providing that a corporation may be created for any purpose not in violation of the law, and repealing all of Article 1121 as it now exists; providing that corporations incorporated for the purpose of the purchase and sale of real estate shall never hold at one time more than fifty thousand acres of land, and providing further that corporations so created shall have ten years within which to alienate such real estate, and providing that upon failure of any corporation to alienate real estate within the time prescribed herein that it shall be the duty of the Attorney General to immediately ask that a receiver be appointed and that the affairs of such corporation be administered by the receiver until such real estate is disposed of; providing that all corporations created under Article 1121, Revised Statutes of 1911, shall file their charters with the Secretary of State for record and requiring that such charters shall be recorded at length in the office of the county clerk of the county in which any such corporation has its principal office and in all counties in which it may have branch offices, and declaring an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do not pass.

MORROW, Chairman.

(Minority Report.)

Committee Room,
Austin, Texas, February 11, 1915.

Hon. W. P. Hobby, President of the Senate.

Sir: A minority of your Committee on Judiciary No. 1, to whom was referred S. B. No. 92, have had the same under consideration, and a minority of said committee beg leave to report the same back to the Senate with the recommendation that it do pass.

BRELSFORD,
HUDSPETH.

Committee Room,
Austin, Texas, February 11, 1915.

Hon. W. P. Hobby, President of the Senate.

Sir: A majority of your Judiciary Committee No. 1, to whom was referred

S. B. No. 89, A bill to be entitled "An Act to amend Article 4979, Title 72, Revised Statutes of 1911, as to the contract rate of interest,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do not pass.

MORROW, Chairman.

(Minority Report.)

Committee Room,
Austin, Texas, February 11, 1915.

Hon. W. P. Hobby, President of the Senate.

Sir: A minority of your Judiciary Committee No. 1, to whom was referred S. B. No. 89, have had the same under consideration, and a minority of said committee beg leave to report the same back to the Senate with the recommendation that it do pass.

HUDSPETH,
CONNER.

Committee Room,
Austin, Texas, February 11, 1915.

Hon. W. P. Hobby, President of the Senate.

Sir: A majority of your Judiciary Committee No. 1, to whom was referred

S. B. No. 90, A bill to be entitled "An Act to amend Article 4979, Title 72, Revised Statutes of 1911, as to the contract rate of interest,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do not pass.

MORROW, Chairman.

(Minority Report.)

Committee Room,

Austin, Texas, February 11, 1915.

Hon. W. P. Hobby, President of the Senate.

Sir: A minority of your Judiciary Committee No. 1, to whom was referred S. B. No. 90, have had the same under consideration, and a minority of said committee beg leave to report the same back to the Senate with the recommendation that it do pass.

CONNER.

Committee Room,

Austin, Texas, February 11, 1915.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Finance, to whom was referred

S. B. No. 245, A bill to be entitled "An Act appropriating out of the unexpended funds realized from the sale of products and from labor of the State Juvenile Training School the sum of fifteen thousand dollars, or as much thereof as may be necessary for the purpose of remodeling, repairing and equipping the building at that institution formerly used as a dormitory for negroes so that the same may be used for other dormitory and housing purposes, and declaring an emergency."

Have had the same under consideration and I am instructed to report the same back to the Senate with the recommendation that it do pass.

COWELL, Chairman.

Committee Room,

Austin, Texas, February 11, 1915.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Commerce and Manufactures, to whom was referred

S. B. No. 252, A bill to be entitled "An Act to amend Article 6272 of the Revised Civil Statutes of 1911, as amended by Chapter 50 of the General Laws of the Thirty-third Legislature, approved March 27, 1913, and further defining indigency with-

in the meaning of the pension laws of this State, and declaring an emergency."

Have had the same under consideration and I am instructed to report the same back to the Senate with the recommendation that it do pass.

LATTIMORE, Chairman.

Committee Room,

Austin, Texas, February 11, 1915.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Commerce and Manufactures, to whom was referred

S. B. No. 170, A bill to be entitled "An Act to amend Article 1228 of the Revised Penal Code of 1911, making it a misdemeanor to obstruct electric light wires, telephone and telegraph wires, or to climb electric light towers, etc.,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

LATTIMORE, Chairman.

Committee Room,

Austin, Texas, February 11, 1915.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Commerce and Manufactures, to whom was referred

S. B. No. 244, A bill to be entitled "An Act to define junk dealers; to require such dealers to give bond, prescribing the conditions of such bond; to require such dealers to take bill of sale from each seller; to forbid the purchase of certain articles by such dealers from minors or in the night time; to prescribe penalties, and declaring an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

LATTIMORE, Chairman.

Enrolling Committee Reports.

Committee Room,

Austin, Texas, February 11, 1915.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Enrolled Bills have carefully examined and

compared Senate Bill No. 52 and find it correctly enrolled, and have this day at 2:50 o'clock p. m. presented the same to the Governor for his approval.

McCOLLUM, Chairman.

Committee Room,

Austin, Texas, February 11, 1915.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Enrolled Bills have carefully examined and compared Senate Bill No. 16 and find it correctly enrolled, and have this day at 4:50 o'clock p. m. presented same to the Governor for his approval.

McCOLLUM, Chairman.

Committee Room,

Austin, Texas, February 11, 1915.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Enrolled Bills have carefully examined and compared Senate Bill No. 20 and find it correctly enrolled, and have this day at 4:50 o'clock p. m. presented same to the Governor for his approval.

McCOLLUM, Chairman.

Petitions and Memorials.

Senator Cowell presented fifteen petitions from citizens of Grayson County; Senator Darwin, two petitions from citizens of his district, and Senator Smith and Senator Harris, each similar petitions from their districts, all numerous signed, protesting against any restrictions on wagon salesmen of medicines, toilet articles, etc.

Senators Bee and Harris offered petitions asking that the expenditure of money in primary elections be limited by law.

Senator McNealus offered several petitions from Dallas County, and Senator Westbrook a like one from his district protesting against the passage of the Gibson bill. Senator McNealus presented also, a petition from business men of Dallas showing cause why Senate Bill No. 79, or House Bill No. 137 should be passed, giving materialmen and workmen a better lien.

A petition for an Old People's Relief Home for Aged and Decrepit

Negroes in Texas was offered by Senator Bee.

A numerous signed petition asking for the location of the proposed new State Normal College to be made at Sealey, was offered by Senator Clark.

Senator Hall presented a petition from patrons of the Oil Mill Gin at Wharton, Texas, opposing the divorcement of oil mills and cotton gins.

Senator Brelsford offered two petitions from citizens of Big Springs in opposition to the full crew bills now pending.

Senator Darwin offered petition from numerous owners of telephone exchanges, complaining that if the Burton minimum wage bill becomes the law that it will put the little independent telephone companies all out of the business, and asking that he oppose the measure.

A petition from citizens of Grayson County who are opposed to the passage of H. B. No. 105, prohibiting the use of repeating guns, was offered by Senator Cowell. Senator Lattimore offered a similar one from citizens of Tarrant County.

Senator Astin presented a petition favoring the proposed optometry law, numerous signed.

Senator Robbins presented a communication from ginners of Terrell, Kaufman County, asking for a law similar to one of the State of Oklahoma, giving ginners a lien on the cotton to secure payment of toll.

The Chair laid before the Senate a telegram from the Associated Ad. Clubs of Texas in session at Waco, urging the passage of laws prohibiting fraudulent advertising in this State.

TWENTY-FOURTH DAY.

Austin, Texas,

Senate Chamber,

Friday, February 12, 1915.

The Senate met at 2 o'clock p. m., pursuant to adjournment, and was called to order by Lieutenant Governor W. P. Hobby.

The roll was called, a quorum being present, the following Senators answered to their names:

Astin.	Bee.
Bailey of DeWitt.	Brelsford.
Bailey of Harris.	Clark.